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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT WALSH,

Petitioner,

vs.

JAMES DZURENDA, *et al.*,

Respondents.

Case No. 2:18-cv-01427-GMN-DJA

**UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO FILE
REPLY TO OPPOSITION TO THE
MOTION TO DISMISS
(ECF NO. 46)**

(FIRST REQUEST)

Respondents, through legal counsel, Aaron D. Ford, Attorney General of The State of Nevada, and Michael J. Bongard, Senior Deputy Attorney General, hereby move this court for a forty-five (45) day enlargement of time in which to file the reply to the opposition to the motion to dismiss Robert Walsh's Second Amended Petition for Writ of Habeas Corpus by a Person in State Custody Pursuant to 28 U.S.C. §2254. ECF No. 46.

The reply is currently due February 9, 2021 and with the enlargement of time, would be due March 26, 2021. Respondents base this motion on the declaration of Counsel.

This is Respondents' first request for an extension of time in which to file these pleadings and made in good faith and not for purposes of delay.

DATED this 4th day of February, 2021.

AARON D. FORD
Attorney General

By: /s/ Michael J. Bongard
Michael J. Bongard (Bar No. 007997)
Senior Deputy Attorney General

DECLARATION OF MICHAEL J. BONGARD

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2 1. I am a Deputy Attorney General employed by the Attorney General's Office of the State
3 of Nevada in the Bureau of Criminal Justice, and I make this declaration on behalf of Respondents'
4 Motion for Enlargement of Time to file the reply (First Request) in the above-captioned case. By this
5 motion, I am requesting an additional forty-five (45) day enlargement of time, up to and including March
6 26, 2021, to file and serve the reply. The reply is currently due February 9, 2021.

7 2. Since Walsh filed his opposition to the motion to dismiss in this matter, Counsel finished
8 the draft of the answering brief in *Fitzgerald v. State*, Nevada Supreme Court Case Number 81652, due
9 February 16, 2021. Counsel also drafted the responsive pleading in *Arevalo v. Williams*, Seventh Judicial
10 District Court Case Number HC-2005012 (White Pine County). Counsel also prepared the proposed
11 orders in *Casteel v. Gittere*, Seventh Judicial District Court Case Number HC-2008022 (White Pine
12 County), *Kelly v. State of Nevada*, Seventh Judicial District Court Case Number HC-2008024 (White
13 Pine County), *Amanazodi v. Gittere*, Seventh Judicial District Court Case Number HC-2008018 (White
14 Pine County), *Smalley v. Williams*, Seventh Judicial District Court Case Number HC-2012030 (White
15 Pine County), and *Edwards v. State*, et al., Seventh Judicial District Court Case Number HC-1902004
16 (White Pine County).

17 3. Counsel must draft the response to the petition in *Greene v. Gittere*, USDC Case No. 2:07-
18 cv-00304-MMD-CWH (death penalty case), which is due March 9, 2021.

19 4. Counsel had to take a mandatory monthly furlough day Friday, February 5, 2021.

20 5. Opposing counsel, Ron Sung from the Federal Public Defender's Office, was contacted
21 on February 3, 2021 regarding his position on Counsel's motion. Mr. Sung stated that he did not opposed
22 this request.

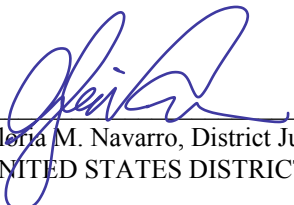
23 6. For the reasons stated above, counsel respectfully asks this Court to grant the extension of
24 time of an additional forty-five (45) days to file the response in this matter.

25 DATED this 8th day of February 2021.

26 **IT IS SO ORDERED.**

27 Dated this 8 day of February, 2021

28 By: /s/ Michael J. Bongard
Michael J. Bongard (Bar No. 007997)
Senior Deputy Attorney General


Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Unopposed Motion for an Extension of Time to File Reply to Opposition to the Motion to Dismiss (ECF No. 46) (First Request)* document with the Clerk of the Court by using the CM/ECF system on the 8th day of February 2021.

The following participants are registered EM/ECF users and will be served by the CM/ECF system.

Ron Sung,
Assistant Federal Public Defender
Federal Public Defender's Office
411 E. Bonneville Ave., Ste. 250
Las Vegas, NV 89101

/s/ C. Martinez
An Employee of the Office of the Attorney General